

§ 3307. Acquisition of property by devise, bequest, donation, or otherwise

The corporation is hereby authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust and to invest, reinvest, and manage the same in accordance with the provisions of its constitution and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of its donors.

(July 5, 1935, ch. 373, § 7, 49 Stat. 459.)

§ 3308. Annual report

Said corporation shall on or before the 1st day of January in each year make and transmit to Congress a report of its proceedings for the preceding calendar year: *Provided, however*, That said report shall not be printed as a public document.

(July 5, 1935, ch. 373, § 8, 49 Stat. 459; Aug. 30, 1964, Pub. L. 88-504, § 4(4), 78 Stat. 636.)

AMENDMENTS

1964—Pub. L. 88-504 struck out before colon “including a full and complete report of its receipts and expenditures”.

§ 3309. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred, “The American National Theater and Academy” shall file in the office of the Secretary or the properly designated officer of each State or Territory or the District of Columbia in which is located either its headquarters or branches or subdivisions thereof the name and post-office address of an authorized agent upon whom legal process or demand against “The American National Theater and Academy” may be served.

(July 5, 1935, ch. 373, § 9, 49 Stat. 459.)

§ 3310. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter is hereby expressly reserved.

(July 5, 1935, ch. 373, § 10, 49 Stat. 459.)

CHAPTER 66—AMERICAN SYMPHONY ORCHESTRA LEAGUE

Sec.	
3401.	Corporation created.
3402.	Completion of organization.
3403.	Purposes of corporation.
3404.	Powers of corporation.
3405.	Principal office; territorial scope of activities; service of process; authorized agent in District of Columbia.
3406.	Membership; voting rights.
3407.	Board of directors. <ol style="list-style-type: none"> (a) Composition of initial board. (b) Composition of subsequent boards; tenure. (c) Governing period; duties.
3408.	Officers.
3409.	Distribution of income or assets to members; loans.
3410.	Nonpolitical nature of corporation.
3411.	Liability for acts of officers or agents.
3412.	Prohibition against issuance of stock or payment of dividends.

Sec.	
3413.	Books and records; inspection.
3414.	Repealed.
3415.	Use of assets on dissolution or liquidation.
3416.	Exclusive right to name, emblems, seals, and badges.
3417.	Acquisition of assets and liabilities of existing corporation.
3418.	Reservation of right to amend or repeal chapter.

§ 3401. Corporation created

The following persons—

Harold Gregory, Salt Lake City, Utah;
Samuel R. Rosenbaum, Philadelphia, Pennsylvania;

Mrs. Harry Fagg, Beaumont, Texas;
Frank E. Joseph, Shaker Heights, Ohio;
John D. Wright, Phoenix, Maryland;
Doctor George Szell, Cleveland, Ohio;
Henry Denecke, Cedar Rapids, Iowa;
Harry Levenson, Worcester, Massachusetts;
Theodore C. Russell, Jackson, Mississippi;
Stanley Williams, Milwaukee, Wisconsin;
Oliver M. Clegg, Magnolia, Arkansas;
R. Philip Hanes, Junior, Winston-Salem, North Carolina;

Mrs. Ben Hale Golden, Lookout Mountain, Tennessee;

Miles F. Portlock, Junior, Orkney Springs, Virginia;

Mrs. B. H. Littlefield, Bradenton, Florida;
Cecil W. Slocum, Omaha, Nebraska;
Max Rudolph, Cincinnati, Ohio;
Mrs. Ward T. Langstroth, Billings, Montana;
Elden Bayley, Springfield, Ohio;
George Barati, Honolulu, Hawaii;
Mrs. Albert C. Olsen, Buffalo, New York;
John Edwards, Pittsburg, Pennsylvania;
Mrs. Mignon P. Ladin, New York, New York;

Leslie C. White, Doraville, Georgia;
Mrs. Fitzgerald Parker, Nashville, Tennessee;

Doctor Peter Paul Fuchs, Baton Rouge, Louisiana;

R. Wilton Billstein, Woodbury, New Jersey;
Mrs. Elizabeth S. Greene, West Hartford, Connecticut;

Gibson Morrissey, Roanoke, Virginia;
Alfred C. Connable, Kalamazoo, Michigan;
Mrs. Holmes Frederick, Greenville, South Carolina;

William Steinberg, Pittsburg, Pennsylvania;
Virginia Wartman, Allentown, Pennsylvania;

Robert L. Conn, Springfield, Illinois;
Paul O. Grammer, Essex Fells, New Jersey;
Henry Janiec, Spartanburg, South Carolina;
Charles B. Stacy, Charleston, West Virginia;
Doctor James Christian Pfohl, Charlotte, North Carolina;

Frederick I. Moyer, Castle Rock, Colorado;
Thomas D. Perry, Junior, Hingham, Massachusetts;

Carlos Moseley, New York, New York;
Mrs. G. Robert Herberger, Scottsdale, Arizona;

James P. Robertson, Wichita, Kansas;
Myron Levite, Brooklyn, New York;
Mrs. Leo R. Pflaum, Wayzata, Minnesota;

and their successors, are hereby created and declared to be a body corporate by the name of

American Symphony Orchestra League (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 87-817, § 1, Oct. 15, 1962, 76 Stat. 929.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3402 of this title.

§ 3402. Completion of organization

A majority of the persons named in section 3401 of this title are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws not inconsistent with this chapter, and the doing of such other acts as may be necessary for such purpose.

(Pub. L. 87-817, § 2, Oct. 15, 1962, 76 Stat. 930.)

§ 3403. Purposes of corporation

The purposes of the corporation shall be to—

- (1) serve as a coordinating, research and educational agency and clearinghouse for symphony orchestras in order to help strengthen the work in their local communities;
- (2) assist in the formation of new symphony orchestras;
- (3) through suitable means, encourage and recognize the work of America's musicians, conductors, and composers; and
- (4) aid the expansion of the musical and cultural life of the United States through suitable educational and service activities.

(Pub. L. 87-817, § 3, Oct. 15, 1962, 76 Stat. 930.)

§ 3404. Powers of corporation

The corporation shall have power—

- (1) to have succession by its corporate name;
- (2) to sue and be sued, complain and defend in any court of competent jurisdiction;
- (3) to adopt, use, and alter a corporate seal;
- (4) to choose such officers, managers, agents, and employees as the business of the corporation may require;
- (5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;
- (6) to contract and be contracted with;
- (7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;
- (8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and
- (9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure

the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Pub. L. 87-817, § 4, Oct. 15, 1962, 76 Stat. 930.)

§ 3405. Principal office; territorial scope of activities; service of process; authorized agent in District of Columbia

(a) The principal office of the corporation shall be located in Charleston, West Virginia, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the United States, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Pub. L. 87-817, § 5, Oct. 15, 1962, 76 Stat. 930.)

§ 3406. Membership; voting rights

(a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this chapter, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(Pub. L. 87-817, § 6, Oct. 15, 1962, 76 Stat. 931.)

§ 3407. Board of directors

(a) Composition of initial board

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the following persons:

- R. Wilton Billstein, Woodbury, New Jersey;
- Igor Buketoff, Fort Wayne, Indiana;
- Mrs. Ronald A. Dougan, Beloit, Wisconsin;
- Mrs. J. W. Graham, Sioux City, Iowa;
- Howard Harrington, Detroit, Michigan;
- William Herring, Winston-Salem, North Carolina;
- Harold Kendrick, New Haven, Connecticut;
- Robert MacIntyre, Birmingham, Alabama;
- Thomas Perry, Junior, Boston, Massachusetts;
- Mrs. H. W. Roberts, Dallas, Texas;
- Mrs. Jouett Shouse, Washington, District of Columbia;
- Alan Watrous, Dallas, Texas;
- John S. Edwards, Pittsburgh, Pennsylvania;
- Mrs. Fred Lazarus III, Cincinnati, Ohio;
- Charles W. Bonner, Fresno, California;
- Alfred Connable, Kalamazoo, Michigan;
- Victor Feldbrill, Winnipeg, Manitoba, Canada;
- Mrs. Gerald S. Greene, West Hartford, Connecticut;
- Mrs. G. Robert Herberger, Scottsdale, Arizona;
- Thomas Iannaccone, Rochester, New York;

Dr. Richard Lert, Hollywood, California;
 Mrs. Fitzgerald Parker, Nashville, Tennessee;
 Mrs. Leo R. Pflaum, Wayzata, Minnesota;
 Miss Helen Ryan, Orlando, Florida;
 George Szell, Cleveland, Ohio;
 Jackson Wiley, Springfield, Ohio;
 George Irwin, Quincy, Illinois;
 R. H. Wangerin, Louisville, Kentucky.

(b) Composition of subsequent boards; tenure

Thereafter, the board of directors of the corporation shall consist of such number, shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) Governing period; duties

The board of directors shall be the governing board of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all contributed funds as may be raised by the corporation.

(Pub. L. 87-817, § 7, Oct. 15, 1962, 76 Stat. 931.)

§ 3408. Officers

(a) The officers of the corporation shall be a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 87-817, § 8, Oct. 15, 1962, 76 Stat. 932.)

§ 3409. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 87-817, § 9, Oct. 15, 1962, 76 Stat. 932.)

§ 3410. Nonpolitical nature of corporation

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 87-817, § 10, Oct. 15, 1962, 76 Stat. 932.)

§ 3411. Liability for acts of officers or agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 87-817, § 11, Oct. 15, 1962, 76 Stat. 932.)

§ 3412. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 87-817, § 12, Oct. 15, 1962, 76 Stat. 932.)

§ 3413. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 87-817, § 13, Oct. 15, 1962, 76 Stat. 932.)

§ 3414. Repealed. Pub. L. 88-504, § 4(37), Aug. 30, 1964, 78 Stat. 648

Section, Pub. L. 87-817, § 14, Oct. 15, 1962, 76 Stat. 933, related to audit of financial transactions. See sections 1101 to 1103 of this title.

§ 3415. Use of assets on dissolution or liquidation

Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Pub. L. 87-817, § 15, Oct. 15, 1962, 76 Stat. 933.)

§ 3416. Exclusive right to name, emblems, seals, and badges

The corporation shall have the sole and exclusive right to the name "American Symphony Orchestra League" and to have and to use in carrying out its purposes distinctive insignia, emblems and badges, descriptive or designating marks, and words or phrases as may be required in the furtherance of its functions. No powers or privileges hereby granted shall, however, interfere or conflict with established or vested rights.

(Pub. L. 87-817, § 16, Oct. 15, 1962, 76 Stat. 933.)

§ 3417. Acquisition of assets and liabilities of existing corporation

The corporation may acquire the assets of the American Symphony Orchestra League, Incorporated, a corporation organized under the laws of the States of Virginia and Michigan, upon discharging or satisfactorily providing for the pay-

ment and discharge of all of the liability of such corporation and upon complying with all laws of the States of Virginia and Michigan applicable thereto.

(Pub. L. 87-817, §17, Oct. 15, 1962, 76 Stat. 933.)

§ 3418. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 87-817, §18, Oct. 15, 1962, 76 Stat. 933.)

CHAPTER 67—GENERAL FEDERATION OF WOMEN'S CLUBS

Sec.

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| 3501. | Corporation created. |
| | (a) Name, style, and title; perpetual succession. |
| | (b) Tax exempt status. |
| | (c) Use of assets on dissolution. |
| 3502. | Acquisition of property by devise, bequest, donation, or otherwise. |
| 3503. | Constitution; bylaws; headquarters. |
| 3504. | Territorial scope of activities. |

§ 3501. Corporation created

(a) Name, style, and title; perpetual succession

Mrs. Rebecca D. Lowe, Atlanta, Georgia; Mrs. Dimies T. S. Denison, New York, New York; Miss Margaret J. Evans, Northfield, Minnesota; Mrs. Emma A. Fox, Detroit, Michigan; Mrs. George W. Kendrick, junior, Philadelphia, Pennsylvania; Mrs. Emma M. Van Vechten, Cedar Rapids, Iowa; Mrs. George H. Noyes, Milwaukee, Wisconsin; Mrs. Edward L. Buchwalter, Springfield, Ohio; Mrs. William J. Christie, Butte, Montana; Mrs. William T. Coad, Rapid City, South Dakota; Mrs. Laura Rockwell Priddy, Wichita, Kansas; Mrs. Frank Sherwin Streeter, Concord, New Hampshire; Mrs. Anna D. West, Somerville, Massachusetts; Mrs. Charles W. Fairbanks, Indiana; Mrs. Lucia E. Blount, Washington, District of Columbia; Mrs. Ralph Trautman, New York; Mrs. John L. McNeil, Colorado; Mrs. Mary S. Lockwood, Washington, District of Columbia; Mrs. May Wright Sewall, Indiana; Mrs. J. C. Croly, New York; Miss Mary V. Temple, Tennessee; Mrs. Phoebe A. Hearst, California; Mrs. Kate Tannett Woods, Massachusetts; Mrs. Julia Plato Harvey, Illinois; Mrs. Jane O. Cooper, Colorado; Mrs. Harriet H. Robinson, Massachusetts; Mrs. Ellen M. Henrotin, Illinois; Mrs. Mary E. Mumford, Pennsylvania; Mrs. C. P. Barnes, Kentucky; Mrs. Philip N. Moore, Missouri; Mrs. Alice Ives Breed, Massachusetts; Mrs. Frank Trumbull, Colorado; Miss Annie Laws, Ohio; Mrs. Sarah S. Platt-Decker, Colorado; Mrs. J. C. Royle, Utah; Josephine Bates, Mary Rogers, Octavia W. Bates, Fanny Purdy Palmer, Julia Ward Howe, Cordelia I. Sterling, Katherine Nobles, Mary D. Steele, and their associates and successors, are hereby created a body corporate and politic, of the District of Columbia, by the name, style, and title of the General Federation of Women's Clubs, and by that name shall have perpetual succession.

(b) Tax exempt status

The General Federation of Women's Clubs shall be organized and operated exclusively for

charitable and educational purposes within the meaning of section 501(c)(3) of title 26 and shall otherwise comply with any requirements for classification as an exempt organization under such section. Said charitable purposes shall be achieved through volunteer efforts on the part of the membership of the General Federation of Women's Clubs, specifically including arts programs, conservation programs, educational programs, homelife programs, international affairs, public affairs programs advancing information regarding public affairs, and community improvement programs.

(c) Use of assets on dissolution

In the event of the dissolution of the General Federation of Women's Clubs, its board of directors shall liquidate and distribute its assets to organizations qualified as exempt organizations under section 501(c)(3) of title 26 with purposes similar to those of the General Federation of Women's Clubs.

(Mar. 3, 1901, ch. 860, §1, 31 Stat. 1438; Aug. 7, 1986, Pub. L. 99-376, 100 Stat. 804; Oct. 22, 1986, Pub. L. 99-514, §2, 100 Stat. 2095.)

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-376, §1(1), (2), designated existing provisions as subsec. (a), and struck out “, for educational, industrial, philanthropic, literary, artistic, and scientific culture, and to bring into communication with one another the various Women's Clubs throughout the world, with power in said corporation to make and use a common seal, and to alter the same at pleasure” after “perpetual succession”.

Subsecs. (b), (c). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

Pub. L. 99-376, §1(3), added subsecs. (b) and (c).

§ 3502. Acquisition of property by devise, bequest, donation, or otherwise

Said corporation is authorized to acquire, by devise, bequest, or otherwise, hold, purchase, and convey such real and personal estate as shall or may be required for the purpose of its incorporation with authority in said corporation, should it be by it deemed necessary so to do, to mortgage or otherwise encumber the real estate which it may hereafter own or acquire and may give therefor such evidences of indebtedness as such corporation may decide upon.

(Mar. 3, 1901, ch. 860, §2, 31 Stat. 1439; Apr. 6, 1922, ch. 121, 42 Stat. 490; June 7, 1934, ch. 425, 48 Stat. 925; Dec. 15, 1975, Pub. L. 94-151, §1, 89 Stat. 809.)

AMENDMENTS

1975—Pub. L. 94-151 struck out “not exceeding \$1,500,000,” after “for the purpose of its incorporation”.

1934—Act June 7, 1934, substituted “\$1,500,000” for “\$500,000”.

1922—Act Apr. 6, 1922, substituted “\$500,000” for “two hundred thousand dollars”.

§ 3503. Constitution; bylaws; headquarters

Said corporation shall have a constitution and may adopt and make by-laws for the admission and qualifications of members, the management of its property, and the regulation of its affairs, and shall have the power to amend said con-